

Exhibit J

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/757,151
Confirmation No. : 3165
Applicants : *Michael P. Casey et al.*
Filed : *January 14, 2004*
Title : *Gaming Machine Having A Shuffle Feature
And A Simultaneous Multiple Award Feature*
TC/A.U. : 3714
Examiner : *Andrew Kim*
Docket No. : 247079-000292USPT
Customer No. : 70243

REPLY TO FINAL OFFICE ACTION DATED FEBRUARY 7, 2008

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

This is in response to the Final Office Action dated on February 7, 2008. The shortened statutory period for response is three months from the mailing date, *i.e.*, by May 7, 2008, and this response is being filed within that time period. Please enter the following claim amendments and remarks into the record for this application.

A Listing of Claims begins on page 2 of this paper.

Remarks /Arguments begin on page 9 of this paper.

Listing of Claims:

This listing of claims will replace all prior versions, and listing, of claims in the application.

1-21. (Cancelled)

22. (Previously Presented) A method of conducting a wagering game on a gaming machine controlled by a controller in response to a wager, the method comprising:

displaying on a display device of the gaming machine, an assemblage of selectable tiles that conceal an associated plurality of icons, the plurality of icons including a plurality of game-theme icons and a wild icon;

receiving successive selections of the tiles;

selectively revealing a first group of related game-theme icons associated with the selected tiles, the first group including at least two first tiles from the assemblage of selectable tiles, each of the first tiles having a first game-theme icon, the first game-theme icon from one of the first tiles matching the first game-theme icon from another one of the first tiles;

selectively revealing a second group of related game-theme icons associated with the selected tiles, the second group being different from the first group, the second group including at least two second tiles from the assemblage of selectable tiles, each of the second tiles having a second game-theme icon, the second game-theme icon from one of the second tiles matching the second game-theme icon from another one of the second two tiles;

selectively revealing the wild icon associated with the selected tiles after revealing the first group and the second group; and
in response to revealing the wild icon, simultaneously awarding a first award and a second award, the first award being based on the at least two first tiles of the first group, the second award being based on the at least two second tiles of the second group.

23. (Cancelled)

24. (Original) The method of claim 23, further including displaying a legend adjacent to the assemblage of selectable tiles, the legend displaying a plurality of matches and respective awards, each of the plurality of matches including a plurality of related game-theme icons.

25. (Cancelled)

26. (Original) The method of claim 22, further including displaying a base wagering game including a plurality of possible randomly-selected outcomes, at least one of the possible outcomes being a bonus game triggering event causing the assemblage of selectable tiles to be displayed.

27. (Original) The method of claim 26, wherein the base wagering game includes a plurality of symbol-bearing reels that are rotated and stopped to place symbols on the reels in a reel

symbol array, and wherein the bonus game triggering event includes a predetermined arrangement of selected symbols on the stopped reels.

28. (Original) The method of claim 27, wherein the first award comprises a first number of free reel spins, and wherein the second award comprises a second number of free reel spins.

29. (Original) The method of claim 28, further comprising multiplying a credit amount associated with a winning outcome of at least one of the first number of free reel spins by a first randomly generated number, and multiplying a credit amount associated with a winning outcome of at least one of the second number of free spins by a second randomly generated number.

30. (Original) The method of claim 22, wherein the gaming machine comprises a video slot machine, and wherein displaying the assemblage of selectable tiles includes displaying a video generated assemblage of selectable tiles.

31. (Original) The method of claim 22, wherein the gaming machine comprises an adaptable mechanical spinning reel slot machine including a plurality of electro-mechanical reels having a plurality of reels symbols displayed thereon, and wherein displaying the assemblage of selectable tiles includes displaying a video generated assemblage of selectable tiles provided by a flat panel transmissive display configured to overlay the assemblage of selectable tiles upon a portion of the plurality of electro-mechanical reels.

32. (Original) The method of claim 22, wherein the first award comprises a first credit amount, and wherein the second award comprises a second credit amount.

33. (Previously Presented) A gaming machine controlled by a controller in response to a wager, the gaming machine comprising a simultaneous multiple award feature indicated on a display device, the display device initially displaying an assemblage of selectable tiles that conceal a plurality of icons, the tiles being successively selected revealing a first group of related game-theme icons and revealing a second group of related game-theme icons and revealing a wild icon after revealing the first group and the second group, the first group including at least two tiles from the assemblage of selectable tiles, each of the two first tiles having a first game-theme icon, the first game-theme icon from one of the first tiles matching the first game-theme icon from another one of the first tiles, the second group including at least two second tiles from the assemblage of selectable tiles, each of the second tiles having a second game-theme icon, the second game-theme icon from one of the second tiles matching the second game-theme icon from another one of the second two tiles, in response to revealing the wild icon, the simultaneous multiple award feature simultaneously awarding a first award based upon the first group and awarding a second award based upon the second group, the first award being based on the at least two first tiles of the first group, the second award being based on the at least two second tiles of the second group.

34-35. (Cancelled)

36. (Original) The gaming machine of claim 33, wherein the display device comprises a video display.

37. (Original) The gaming machine of claim 33, further comprising a base wagering game including a plurality of possible base wagering game outcomes, at least one of the plurality of possible base wagering game outcomes being an event triggering the assemblage of selectable tiles to be displayed.

38. (Original) The gaming machine of claim 37, wherein the gaming machine comprises a slot machine having a plurality of symbol-bearing reels that are rotated and stopped to place symbols on the reels in a symbol array, and wherein the event includes a predetermined arrangement of selected symbols on the stopped reels.

39. (Original) The gaming machine of claim 38, wherein the plurality of symbol-bearing reels comprises a plurality of electro-mechanical symbol-bearing reels, and wherein the display device comprises a flat panel transmissive display configured to overlay the assemblage of selectable tiles upon a portion of the plurality of electro-mechanical symbol-bearing reels.

40. (Original) The gaming machine of claim 38, wherein the first award comprises a first number of free reel spins, and wherein the second award comprises a second number of free reel spins.

41. (Original) The gaming machine of claim 40, further comprising multiplying a credit amount associated with a winning outcome of at least one of the first number of free reel spins and at least one of the second number of free spins by a randomly generated number.

42. (Original) The gaming machine of claim 33, wherein the assemblage of selectable tiles is arranged as a matrix having multiple rows and columns.

43. (Previously Presented) A simultaneous multiple award feature for a gaming machine controlled by a controller, the simultaneous multiple award feature being indicated on a display device, the simultaneous multiple award feature comprising a:

a player selection stage including an assemblage of selectable tiles that conceal a plurality of icons, the tiles being successively selected to reveal respective icons until a tile revealing a wild icon is selected that produces a multiple award outcome, the player selection stage including selectively selecting a first group of tiles and a second group of tiles, the first group including at least two first tiles from the assemblage of selectable tiles, each of the first tiles having a first game-theme icon, the first game-theme icon from one of the first tiles matching the first game-theme icon from another one of the first tiles, the second group including at least two second tiles from the assemblage of selectable tiles, each of the second tiles having a second game-theme icon, the second game-theme icon from one of the second tiles matching the second game-theme icon from another one of the second two tiles, in response to revealing the wild icon, simultaneously awarding the multiple award outcome including a first award and a second

award, the first award being based on the at least two first tiles of the first group,
the second award being based on the at least two second tiles of the second
group; and

a bonus stage triggered by the multiple award outcome, each award of the multiple award
outcome generated in the player selection stage earning the player an opportunity
to win a respective bonus in the bonus stage.

44-45. (Cancelled)

46. (Original) The simultaneous multiple award feature of claim 43, wherein each award is
associated with a predetermined number of free spins of reels of a slot gaming machine.

47. (Original) The simultaneous multiple award feature of claim 46, further comprising
multiplying a credit amount associated with a winning outcome of at least one of the
predetermined number of free spins by a randomly generated number.

48. (Original) The simultaneous multiple award feature of claim 43, wherein the display
device comprises a video display.

REMARKS/ARGUMENTS

Claims 22, 24, 26-33, 36-43, and 46-48 are pending in the present application and remain in this application for prosecution. None of the claims has been amended. The Listing of Claims has been included for convenience purposes. Claims 22, 33, and 43 are the only independent claims.

Claims 22, 26-27, 29-33, 36-39, 41-43, and 47-48 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,347,996 to Gilmore *et al.* ("Gilmore"). Claims 24, 28, 40, and 46 have been rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Gilmore in view of U.S. Patent No. 6,089,976 to Schneider *et al.* ("Schneider").

I. Cited Art Fails To Disclose Awarding Simultaneous Awards In Response To Revealing A Wild Icon Of Claims 22, 33, and 43

Previously, the claims were amended to clarify that multiple awards are awarded in response to revealing a wild icon subsequent to revealing two pairs of game-theme icons, each pair including matching game-theme icons. In response, the office action has agreed that the primary cited reference (*i.e.*, U.S. Patent No. 6,015,346 to Bennett) fails to disclose these claim elements.

In the current office action, it is alleged that Gilmore discloses multiple awards that are awarded in response to revealing a wild icon subsequent to revealing two pairs of game-theme icons, each pair including matching game-theme icons. Although the current office action has replaced Bennett with Gilmore, it does not appear that Gilmore provides any more support to the rejections than Bennett.

Claim 22 is directed to “in response to revealing the wild icon, simultaneously awarding a first award and a second award, the first award being based on the at least two first tiles of the first group, the second award being based on the at least two second tiles of the second group.” Claim 33 is directed to “in response to revealing the wild icon, the simultaneous multiple award feature simultaneously awarding a first award based upon the first group and awarding a second award based upon the second group, the first award being based on the at least two first tiles of the first group, the second award being based on the at least two second tiles of the second group.” Claim 43 is directed to “in response to revealing the wild icon, simultaneously awarding the multiple award outcome including a first award and a second award, the first award being based on the at least two first tiles of the first group, the second award being based on the at least two second tiles of the second group.”

Similar to Bennett, Gilmore is directed to matching a “Wild” tile with a single group of tiles. The “Wild” tile matching with tiles having the same reel symbol, *i.e.*, with only one group, closely resembles Bennett’s game in which a wild symbol was selected as one of a single pair of cards. In contrast, as previously discussed during the personal interview of October 18, 2007, the pending claims are directed to matching a wild icon with tiles of at least two groups.

None of these claim elements are disclosed by Gilmore. Thus, the Applicants respectfully submit that all the pending claims are not anticipated by the cited art at least because the cited art fails to disclose awarding simultaneous awards based on two different groups of tiles in response to revealing a wild icon.

II. Schneider Fails to Disclose The Claimed Legend Of Claim 24

The claimed method of claim 24 is directed to “displaying a legend adjacent to the assemblage of selectable tiles, the legend displaying a plurality of matches and respective awards.” For example, according to one exemplary embodiment, a legend 660 is shown in FIG. 10 of the current specification.

The office action alleges that “Schneider teaches having a pay table to provide the player with the winnings (Schneider, col. 3:19) and credit meter 42 (Schneider, col. 4:62).” However, when referring to the disclosure cited in support of the rejections, it is clear that the cited disclosure fails to support the rejections. Specifically, the cited disclosure states the following:

“More specifically, a player places a wager and plays a primary game having a resultant outcome which is compared to winning combinations on a pay table.” (Schneider, col. 3, ll. 17-19) (emphasis added).

“The matching amount remaining on the video screen is correlative to the final bonus award added to a credit meter 42 or directly paid to the player.” (Schneider, col. 4, ll. 60-63) (emphasis added).

Nowhere does Schneider teach or suggest that a legend should be a) displayed, that the legend should be displayed b) adjacent to the assemblage of tiles, and that the legend should display c) a plurality of matches. All these elements are simply inferred based on the fact that Schneider mentions a pay table and a credit meter.

Thus, the Applicants respectfully submit that claim 24 is patentable over the cited art at least for these reasons.

III. The Office Action Has Failed To Address Numerous Claim Elements

The Office Action has identified a number of claims as being rejected under § 102 in view of Gilmore, but has failed to address any of these claims’ elements.

Claim 26 is directed to “displaying a base wagering game including a plurality of possible randomly-selected outcomes, at least one of the possible outcomes being a bonus game triggering event causing the assemblage of selectable tiles to be displayed.” The office action has failed to address any elements of this claim.

Claim 27 is directed to a “base wagering game [that] includes a plurality of symbol-bearing reels that are rotated and stopped to place symbols on the reels in a reel symbol array, and wherein the bonus game triggering event includes a predetermined arrangement of selected symbols on the stopped reels.” The office action has failed to address any elements of this claim.

Claim 29 is directed to “multiplying a credit amount associated with a winning outcome of at least one of the first number of free reel spins by a first randomly generated number, and multiplying a credit amount associated with a winning outcome of at least one of the second number of free spins by a second randomly generated number.” The office action has failed to address any elements of this claim.

Claim 31 is directed to a “gaming machine [that] comprises an adaptable mechanical spinning reel slot machine including a plurality of electro-mechanical reels having a plurality of reels symbols displayed thereon, and wherein displaying the assemblage of selectable tiles includes displaying a video generated assemblage of selectable tiles provided by a flat panel transmissive display configured to overlay the assemblage of selectable tiles upon a portion of the plurality of electro-mechanical reels.” The office action has failed to address any elements of this claim.

Claim 37 is directed to a “base wagering game including a plurality of possible base wagering game outcomes, at least one of the plurality of possible base wagering game outcomes

being an event triggering the assemblage of selectable tiles to be displayed.” The office action has failed to address any elements of this claim.

Claim 38 is directed to a “gaming machine [that] comprises a slot machine having a plurality of symbol-bearing reels that are rotated and stopped to place symbols on the reels in a symbol array, and wherein the event includes a predetermined arrangement of selected symbols on the stopped reels.” The office action has failed to address any elements of this claim.

Claim 39 is directed to a “plurality of symbol-bearing reels comprises a plurality of electro-mechanical symbol-bearing reels, and wherein the display device comprises a flat panel transmissive display configured to overlay the assemblage of selectable tiles upon a portion of the plurality of electro-mechanical symbol-bearing reels.” The office action has failed to address any elements of this claim.

Claim 41 is directed to “multiplying a credit amount associated with a winning outcome of at least one of the first number of free reel spins and at least one of the second number of free spins by a randomly generated number.” The office action has failed to address any elements of this claim.

Claim 47 is directed to “multiplying a credit amount associated with a winning outcome of at least one of the predetermined number of free spins by a randomly generated number.” The office action has failed to address any elements of this claim.

Conclusion

It is the Applicants' belief that all the pending claims are now in condition for allowance, and thus reconsideration of this application is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

It is believed that no fees are due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Nixon Peabody LLP Deposit Account No. 50-4181, Order No. 247079-000292USPT.

Respectfully submitted,

Date: May 6, 2008

By: /Sorinel Cimpoes/ - Reg. No. 48,311
Sorinel Cimpoes
Nixon Peabody LLP
161 North Clark Street, 48th Floor
Chicago, Illinois 60601-3213
(312) 425-8542
ATTORNEY FOR APPLICANTS